

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS HARRIS,

Plaintiff,

VS.

C.O.I SMITH, C.O.I FLOOD, L.T.
SMITH, U.M. DICK, GRIEVANCE
COOR. M. ANDREETTI,

Defendants.

2:24-cv-12-JNR-CBB

Hon. J. Nicholas Ranjan

Magistrate Judge Christopher B. Brown

MEMORANDUM ORDER

This is a *pro se* prisoner civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to Magistrate Judge Christopher B. Brown for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges.

Currently before the Court is a Report & Recommendation (ECF 45) filed by Judge Brown on July 22, 2025, recommending that the Court dismiss the case for failure to prosecute and deny defendants' motion to dismiss (ECF 41) as moot. The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), objections to the Report & Recommendation were due by August 5, 2025 (for ECF users) and August 8, 2025 (for non-ECF users). No objections were filed.

Upon a review of the record of this matter and the Report and Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order.

AND NOW, this 13th day of August, 2025, it is **ORDERED** that the case is **DISMISSED WITH PREJUDICE**. IT IS FURTHER ORDERED that the Defendants' Motion to Dismiss is **DENIED AS MOOT**. The Report & Recommendation is adopted as the opinion of the Court.

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge